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**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, CHICAGO, ILLINOIS**

James Williams d/b/a J & W Auto Parts
And Sales et. al,

PLAINTIFF,

v.

City of Chicago, Tom Kness, et. al,
RESPONDENT(s).

No. 08cv51

Judge HIBBLER

Mag. Judge KEYS

JUI

MAGISTRATE _____

AND AS CONCURRENTLY FILED WITH RECIPROCAL JURISDICTION;

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS, CHICAGO, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

JAMES WILLIAMS, d/b/a J & W AUTO PARTS &
SALES et. al

Plaintiff (s),

) #07 CH 26147

)

) Judge Leroy K. Martin

CITY OF CHICAGO, TOM KNESS, et al.

)

Respondent (s).

)

FILED

JAN X 3 2008

Jan 3, 2008

MICHAEL W. DOBBINS

CLERK, U.S. DISTRICT COURT

DECLATORY AFFIDAVIT OF MAYOR RICHARD M. DALEY

COMES NOW, PLAINTIFF JAMES WILLIAMS, in the above captioned concurrent jurisdiction matter, in acknowledgment of the **"The Constitution of the State of Illinois"** to and through **"The Illinois Revised Statutes"** as abridged in (Chap. 705 ILCS 205/1; et. seq.) **"Illinois Compiled Statutes"** that provides for, and authorizes, any elected office holder of the Executive Branch of any level of government in the State of Illinois, the privilege of representing his/her office, or operations thereof, in his own person, in any Court or legal proceeding, to argue, settle or resolve the issues, while maintaining the presence, and advice of the Executive Branch attorney (In this matter Corporation Counsel), and that, the referenced laws, also provide any member of the Executive Branch, the authority and privilege of admitting or denying the unlawful, malfeasant/misfeasant actions of his/her subordinates in open court, or by declarative affidavit, his or her personal knowledge of, and/or, personal participation in, or with, the unlawful actions of the subordinates, and that, if personal knowledge and participation is denied, no proceedings, allegations, or charges may be brought against that Executive Branch office holder, by any party, Prosecutor or State's Attorney, including this Plaintiff, nor may lawfully allege or charge the office holder with any crime or offense, and/or participation therein, in perpetuity, except for the appropriate impeachment proceeding, as provided by law.

In combination, both Federal and Illinois law, rule of law and case precedent, provide the failure to deny any allegation made in a court of law, or pleadings therein, is an admission, and/or, an implied admission with tacit confession of facts, and judgment may be entered 30 days after the failure to deny allegations.



As claimed in the Plaintiff's answer, filed 12/24/07, in which, all Defendants, including the City of Chicago, Mayor Richard M. Daley, have entered a constructive plea of "No Contest". Plaintiff Williams requests Mayor Richard M. Daley complete this declaratory affidavit in interrogatory form, as failure to deny admitted unlawful actions of his subordinates, may permit judgment being entered against Mayor Daley, personally, jointly, equally and with all severability of liability, within 30-60 days of January 11, 2008.

(Circle as chosen)

1. Are you, Richard M. Daley, duly elected Mayor of the incorporated municipal governmental entity known as the City of Chicago?

YES NO

2. How is this affidavit being completed?

PERSONALLY BY DIRECTION BY POWER OF ATTORNEY

3. Do you, Mayor Richard M. Daley, admit or deny personal knowledge of subordinates admitted unlawful actions?

ADMIT DENY

4. Do you, Mayor Daley, admit or deny personal participation in or with the unlawful actions of your subordinates?

ADMIT DENY

Affiant not sayeth further.

Sworn and certified to be true, under threat of perjury,

Mayor Richard M. Daley

By: _____

Pro Se Plaintiff James Williams d/b/a J & W Auto Parts and Sales
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